

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

<b>TRAVIS LEORNAL KIBBE,</b>	)	
	)	
Petitioner,	)	
	)	
v.	)	<b>No. CIV 06-478-RAW-KEW</b>
	)	
<b>GREG WILLIAMS, Warden,</b>	)	
	)	
Respondent.	)	


**ORDER AND OPINION**  
**DENYING CERTIFICATE OF APPEALABILITY**

Petitioner has filed a notice of intent to appeal the court's order entered March 31, 2010, affirming and adopting the Magistrate Judge's Report and Recommendation and denying petitioner's petition for a writ of habeas corpus. After a careful review of the record the court concludes petitioner has failed to make a "substantial showing of the denial of a constitutional right," as required by 28 U.S.C. § 2253(c)(2). The court further finds petitioner has not shown "at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

ACCORDINGLY, petitioner is denied a certificate of appealability.

**IT IS SO ORDERED** this 13th day of April 2010.

**Dated this 13<sup>th</sup> Day of April 2010.**

  
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Ronald A. White  
United States District Judge  
Eastern District of Oklahoma